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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JAMES ERIC LOFTEN
TDCJ-CID #616132

V.

U.S. GOVERNMENT, ET AL.

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C.A. NO. C-05-191

ORDER VACATING ORDER GRANTING
APPLICATION TO PROCEED *IN FORMA PAUPERIS*

On April 21, 2005, Texas state prisoner James Eric Loften ("Loften") filed on a preprinted habeas corpus form a civil rights action arguing that defendants were engaged in a conspiracy to deny him access to the courts (D.E.1). The case was erroneously opened as a habeas corpus action and Loften's application to proceed *in forma pauperis* (D.E. 7) was granted and the \$5.00 filing fee waived (D.E. 8).

Because this action is actually a § 1983 civil rights case, the order granting Loften's i.f.p. application (D.E. 8) is hereby VACATED. The Clerk is instructed to redesignate this case as a civil rights action under 42 U.S.C. § 1983.

ORDERED this 16th day of June, 2005.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE